

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

☐ Valuation of Security ☐ Assumption of Executory Contract or Unexpired Lease ☐ Lien Avoidance

Last Revised December 1, 2017

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

IN RE:

Case No. _____

Judge _____

Dunham, Lauren

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS

☒ Original

☐ Modified/Notice Required

Date: January 12, 2018

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: MC

Initial Debtor: LD

Initial Co-Debtor:

Part 1: Payment and Length of Plan

- a. The debtor shall pay \$ **350.00** per **month** to the Chapter 13 Trustee, starting on **2/01/2018** for approximately **36** months.
- b. The Debtor shall make plan payments to the Trustee from the following sources:
☒ Future Earnings
☒ Other sources of funding (describe source, amount and date when funds are available):
Non-exempt roceeds from Personal Injury Suit and Discrimination Suit to fund balance of plan
- c. Use of real property to satisfy plan obligations:
☐ Sale of real property
Description:
Proposed date for completion: _____
☐ Refinance of real property
Description:
Proposed date for completion: _____
☒ Loan modification with respect to mortgage encumbering property
Description: **Roundpoint Mortgage**
Proposed date for completion: **9/01/2018**
- d. ☒ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

- a. Adequate protection payments will be made in the amount of \$ **None** to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

| Creditor | Type of Priority | Amount to be Paid |
|-------------------------------|------------------------|-------------------|
| Capone & Keefe, PC | Administrative Expense | 1,750.00 |

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

| Creditor | Type of Priority | Claim Amount | Amount to be Paid |
|-------------|------------------|--------------|-------------------|
| None | | | |

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: [] NONE

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

| Creditor | Collateral or Type of Debt | Arrearage | Interest Rate on Arrearage | Amount to be Paid to Creditor (In Plan) | Regular Monthly Payment (Outside Plan) |
|-----------------------|--|------------------|----------------------------|---|--|
| Roundpoint Mtg | 23 Cedar Hill Ln, Toms River, NJ 08755-4903 | 51,970.00 | 0.00% | Trustee to disburse funds to the mortgagee on account of arrears pending resolution of loan modification | 1,832.00 |

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: [X] NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

| Creditor | Collateral or Type of Debt | Arrearage | Interest Rate on Arrearage | Amount to be Paid to Creditor (In Plan) | Regular Monthly Payment (Outside Plan) |
|-------------|----------------------------|-----------|----------------------------|---|--|
| None | | | | | |

c. Secured claims excluded from 11 U.S.C. 506: [X] NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

| Name of Creditor | Collateral | Interest Rate | Amount of Claim | Total to be Paid through the Plan Including Interest Calculation |
|------------------|------------|---------------|-----------------|--|
| None | | | | |

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments [X] NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES

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the appropriate motion to be filed under Section 7 of the Plan.

| Creditor | Collateral | Scheduled Debt | Total Collateral Value | Superior Liens | Value of Creditor Interest in Collateral | Annual Interest Rate | Total Amount to be Paid |
|-------------|------------|----------------|------------------------|----------------|--|----------------------|-------------------------|
| None | | | | | | | |

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender [X] NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

| Creditor | Collateral to be Surrendered | Value of Surrendered Collateral | Remaining Unsecured Debt |
|-------------|------------------------------|---------------------------------|--------------------------|
| None | | | |

f. Secured Claims Unaffected by the Plan [] NONE

The following secured claims are unaffected by the Plan:

Wells Fargo Dealer Services

g. Secured Claims to Be Paid in Full Through the Plan [X] NONE

| Creditor | Collateral | Total Amount to be Paid through the Plan |
|-------------|------------|--|
| None | | |

Part 5: Unsecured Claims [] NONE**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

___ Not less than \$ _____ to be distributed *pro rata*

___ Not less than _____ percent

☒ *Pro Rata* distribution from any remaining funds- **plus non-exempt proceeds of lawsuits**

b. Separately Classified Unsecured Claims shall be treated as follows:

| Creditor | Basis for Separate Classification | Treatment | Amount to be Paid |
|-------------|-----------------------------------|-----------|-------------------|
| None | | | |

Part 6: Executory Contracts and Unexpired Leases [X] NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

| Creditor | Arrears to be Cured in Plan | Nature of Contract or Lease | Treatment by Debtor | Post-Petition Payment |
|-------------|-----------------------------|-----------------------------|---------------------|-----------------------|
| None | | | | |

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). [] NONE

The Debtor moves to avoid the following liens that impair exemptions:

| Creditor | Nature of Collateral | Type of Lien | Amount of Lien | Value of Collateral | Amount of Claimed Exemption | Sum of All Other Liens Against the Property | Amount of Lien to be Avoided |
|-------------|----------------------|--------------|----------------|---------------------|-----------------------------|---|------------------------------|
| None | | | | | | | |

b. Motion to Void Liens and Reclassify Claim from Secured to Completely Unsecured. [X] NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

| Creditor | Collateral | Scheduled Debt | Total Collateral Value | Superior Liens | Value of Creditor Interest in Collateral | Total Amount of Lien to be Reclassified |
|-------------|------------|----------------|------------------------|----------------|--|---|
| None | | | | | | |

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. [X] NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

| Creditor | Collateral | Scheduled Debt | Total Collateral Value | Amount to be Deemed Secured | Amount to be Reclassified as Unsecured |
|-------------|------------|----------------|------------------------|-----------------------------|--|
| None | | | | | |

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Sections 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor

notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) **Trustee Commissions**
- 2) **Other Administrative Claims**
- 3) **Secured Claims**
- 4) **Lease Arrearages**
- 5) **Priority Claims**
- 6) **General Unsecured Claims**

d. Post-petition claims The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ NONE

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: _____

| | |
|--|--|
| Explain below why the Plan is being modified. | Explain below how the Plan is being modified. |
| | |

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE
☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date: January 12, 2018 /s/ Marc Capone
Attorney for the Debtor

Date: January 12, 2018 s/ Lauren Dunham
Debtor

Date: _____
Joint Debtor

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date: January 12, 2018 /s/ Marc Capone

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Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: **January 12, 2018**

/s/ Lauren Dunham

Debtor

Date: **January 12, 2018**

Joint Debtor

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 United States Bankruptcy Court
 District of New Jersey

In re:
 Lauren Dunham
 Debtor

Case No. 18-10793-CMG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 1
 Total Noticed: 25

Date Rcvd: Jan 16, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 18, 2018.

db
 517278168 Lauren Dunham, 23 Cedar Hill Ln, Toms River, NJ 08755-4903
 517278169 Amex, Correspondence, PO Box 981540, El Paso, TX 79998-1540
 517278170 Amex, PO Box 981537, El Paso, TX 79998-1537
 517278170 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 517278171 (address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238-1119)
 517278171 Capital One, Attn: General Correspondence/Bankruptcy, PO Box 30285,
 Salt Lake City, UT 84130-0285
 517278172 Chase Card Services, Attn: Correspondence Dept, PO Box 15298, Wilmington, DE 19850-5298
 517278173 Credence Resource Management, PO Box 2300, Southgate, MI 48195-4300
 517278174 Credit Resource, 17000 Dallas Pkwy Ste 20, Dallas, TX 75248-1938
 517278177 KML Law Group, 216 Haddon Ave Ste 406, Westmont, NJ 08108-2812
 517278180 New Jersey Natural Gas, 1415 Wyckoff Rd, Wall, NJ 07719
 517278181 Northland Group, PO Box 390846, Minneapolis, MN 55439-0846
 517278182 Pressler & Pressler, 7 Entin Rd, Parsippany, NJ 07054-5020
 517278183 Roundpoint Mtg, 5032 Parkway Plaza Blvd, Charlotte, NC 28217-1918
 517278185 The Bureaus, 1717 Central St, Evanston, IL 60201-1507
 517278186 The Bureaus Inc, 650 Dundee Rd Ste 370, Northbrook, IL 60062-2757
 517278188 Wells Fargo Dealer Services, PO Box 1697, Winterville, NC 28590-1697
 517278187 Wells Fargo Dealer Services, Attn: Bankruptcy, PO Box 19657, Irvine, CA 92623-9657
 517278189 Wffnatbank, PO Box 94498, Las Vegas, NV 89193-4498

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Jan 16 2018 23:37:56 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg ++E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jan 16 2018 23:37:54 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 517278175 E-mail/Text: mrdiscen@discover.com Jan 16 2018 23:37:33 Discover, PO Box 15316,
 Wilmington, DE 19850-5316
 517278176 E-mail/Text: mrdiscen@discover.com Jan 16 2018 23:37:33 Discover Financial, PO Box 3025,
 New Albany, OH 43054-3025
 517278178 E-mail/Text: bankruptcydpt@mcmcg.com Jan 16 2018 23:37:54 Midland Funding,
 Attn: Bankruptcy, PO Box 939069, San Diego, CA 92193-9069
 517278179 E-mail/Text: bankruptcydpt@mcmcg.com Jan 16 2018 23:37:54 Midland Funding LLC,
 2365 Northside Dr Ste 300, San Diego, CA 92108-2709
 517278184 E-mail/Text: bankruptcy@td.com Jan 16 2018 23:37:58 TD Bank, PO Box 5600,
 Lewiston, ME 04243-5600

TOTAL: 7

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 18, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 15, 2018 at the address(es) listed below:

Marc C. Capone on behalf of Debtor Lauren Dunham mcapone@caponeandkeefe.com,
 docs@caponeandkeefe.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 2